

Federal Defenders  
OF NEW YORK, INC.

Southern District  
300 Quarropas Street, Room 260  
White Plains, N.Y. 10601-4150  
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Executive Director  
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White Plains

April 4, 2017

MEMO ENDORSED

BY HAND DELIVERY AND MAIL


The Honorable Kenneth M. Karas  
United States District Court Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, New York 10601

Re: United States v. Chukwuemeka Okparaek  
17 Mag. 1972 (LMS)

Dear Judge Karas:

This letter is written on behalf of Mr. Okparaek who wishes to inform the Court that he is consenting to detention without prejudice at this time. He was arrested on March 20, 2017, and presented on a Complaint charging violations of Title 21§ 841(b)(1)(A). The Complaint alleges that Mr. Okparaek was involved in the importation and sale of a fentanyl analogue. As was his right, he requested a bail hearing. The bail hearing was held on March 31, 2017. The government argued he was both a danger to the community and a risk of flight. However, through efficacious advocacy, Magistrate Judge Smith did set bail. Upon the conclusion of the hearing the government was informed that it may be a problem satisfying the monetary conditions of bail and suggested they withhold the filing of an appeal. At 1:45 p.m. today I was informed by the defendant's father that they have decided they "will not be bailing him out." Therefore, a hearing on the government's appeal of the bail markings is not necessary as Mr. Okparaek no longer has any bond signors. As a result of his father's recent phone call Mr. Okparaek will not be able to meet the bail conditions and will not be released.

Respectfully Submitted,

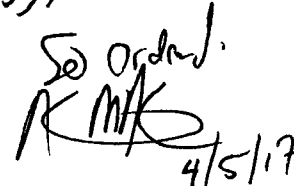
  
Susanne Brody

cc: The Honorable Magistrate-Judge Lisa Margaret Smith  
Perry A. Carbone, Co-Chief A.U.S.A.  
Olga I. Zerovich, A.U.S.A.  
Gillian Grossmsn, A.U.S.A.  
Mr. Okparaek

The ~~case~~ Court construes this letter to mean that  
Mr. Okparaek does not have a viable 21.  
Package to present and therefore consents  
to detention without  
prejudice to seek bail  
based on a different  
package. Accordingly, Mr. Okparaek is remanded.

U.S. ATTORNEY  
FOR THE S.D.N.Y.

APR 04 2017

So ordered.  
  
4/5/17